

No. 2024-1587; 2024-1588

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

TQ Delta, LLC,

Plaintiff-Appellant,

v.

CommScope Holding Company, Inc., CommScope, Inc., ARRIS Enterprises LLC, ARRIS Global Ltd., ARRIS International Limited, ARRIS Solutions, Inc., ARRIS Technology, Inc., and ARRIS U.S. Holdings, Inc.,

Defendants-Cross-Appellants,

Avago Technologies International Sales Pte. Limited, Broadcom Incorporated, and Broadcom Corporation,

Defendants/Third Party Plaintiffs/Counterclaimants.

On Appeal from the United States District Court for the Eastern District of Texas in case No. 2:21-cv-310, Judge Rodney Gilstrap

**APPELLANT TQ DELTA, LLC'S UNOPPOSED
MOTION FOR A 14 DAY EXTENSION OF TIME
TO FILE ITS PRINCIPAL BRIEF**

Pursuant to Federal Rule of Appellate Procedure 26(b) and Federal Circuit Rule 26(b), Appellant TQ Delta, LLC (“TQ Delta”) hereby moves this Court for an unopposed extension of time of fourteen (14) days within which it may file its principal brief.

TQ Delta’s principal brief is currently due on May 20, 2024. TQ Delta respectfully requests that the briefing schedule be revised such that the deadline is extended by 14 days. If TQ Delta’s request is granted, its principal brief would be due on Monday, June 3, 2024. TQ Delta has not previously sought an extension of time for filing its principal brief or any other brief in this appeal.

There is good cause for a 14-day extension because the existing briefing schedule conflicts with the professional obligations of TQ Delta’s appellate counsel.

Counsel for Cross-Appellants CommScope Holding Company, Inc., CommScope, Inc., ARRIS Enterprises LLC, ARRIS Global Ltd., ARRIS International Limited, ARRIS Solutions, Inc., ARRIS Technology, Inc., and ARRIS U.S. Holdings, Inc. (collectively, “CommScope”) has advised TQ Delta that CommScope does not oppose this motion and will not file a response.

For these reasons, Appellant TQ Delta respectfully requests that this unopposed motion for extension of time be granted and that the time for filing of Appellant’s principal brief be extended from the current deadline of May 20, 2024 until June 3, 2024.

Dated: May 3, 2024

Respectfully submitted,

/s/ Peter J. McAndrews

Peter J. McAndrews
McAndrews, Held & Malloy, Ltd.
500 West Madison Street, 34th Floor
Chicago, Illinois 60661
Office: (312) 775-8000
Fax: (312) 775-8100

Attorney for Appellant

FORM 9. Certificate of Interest

Form 9 (p. 1)
March 2023

**UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT**

CERTIFICATE OF INTEREST

Case Number 2024-1587; 2024-1588

Short Case Caption TQ Delta, LLC v. CommScope Holding Company, Inc.

Filing Party/Entity TQ Delta, LLC

Instructions:

1. Complete each section of the form and select none or N/A if appropriate.
2. Please enter only one item per box; attach additional pages as needed, and check the box to indicate such pages are attached.
3. In answering Sections 2 and 3, be specific as to which represented entities the answers apply; lack of specificity may result in non-compliance.
4. Please do not duplicate entries within Section 5.
5. Counsel must file an amended Certificate of Interest within seven days after any information on this form changes. Fed. Cir. R. 47.4(c).

I certify the following information and any attached sheets are accurate and complete to the best of my knowledge.

Date: 05/03/2024

Signature: /s/ Peter J. McAndrews

Name: Peter J. McAndrews

FORM 9. Certificate of Interest

Form 9 (p. 2)
March 2023

1. Represented Entities. Fed. Cir. R. 47.4(a)(1).	2. Real Party in Interest. Fed. Cir. R. 47.4(a)(2).	3. Parent Corporations and Stockholders. Fed. Cir. R. 47.4(a)(3).
Provide the full names of all entities represented by undersigned counsel in this case.	Provide the full names of all real parties in interest for the entities. Do not list the real parties if they are the same as the entities. <input type="checkbox"/> None/Not Applicable	Provide the full names of all parent corporations for the entities and all publicly held companies that own 10% or more stock in the entities. <input type="checkbox"/> None/Not Applicable
TQ Delta, LLC	None	None

☐ Additional pages attached

FORM 9. Certificate of Interest

Form 9 (p. 3)
March 2023

4. Legal Representatives. List all law firms, partners, and associates that (a) appeared for the entities in the originating court or agency or (b) are expected to appear in this court for the entities. Do not include those who have already entered an appearance in this court. Fed. Cir. R. 47.4(a)(4).

☐ None/Not Applicable ☐ Additional pages attached

Ashley Ratycz formerly of McAndrews, Held & Malloy, Ltd.	Andrew J. Wright Bruster PLLC	Rudolph Fink, IV The Davis Firm, PC
Edward K. Chin Bruster PLLC	Shawn A. Latchford Bruster PLLC	Ty William Wilson The Davis Firm, PC
Anthony K. Bruster Bruster PLLC	Christian J. Hurt formerly of The Davis Firm, PC	William Ellsworth Davis, III The Davis Firm, PC

5. Related Cases. Other than the originating case(s) for this case, are there related or prior cases that meet the criteria under Fed. Cir. R. 47.5(a)?

☒ Yes (file separate notice; see below) ☐ No ☐ N/A (amicus/movant)

If yes, concurrently file a separate Notice of Related Case Information that complies with Fed. Cir. R. 47.5(b). **Please do not duplicate information.** This separate Notice must only be filed with the first Certificate of Interest or, subsequently, if information changes during the pendency of the appeal. Fed. Cir. R. 47.5(b).

6. Organizational Victims and Bankruptcy Cases. Provide any information required under Fed. R. App. P. 26.1(b) (organizational victims in criminal cases) and 26.1(c) (bankruptcy case debtors and trustees). Fed. Cir. R. 47.4(a)(6).

☒ None/Not Applicable ☐ Additional pages attached

FORM 19. Certificate of Compliance with Type-Volume Limitations

Form 19
July 2020

**UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT**

CERTIFICATE OF COMPLIANCE WITH TYPE-VOLUME LIMITATIONS

Case Number: 2024-1587; 2024-1588

Short Case Caption: TQ Delta, LLC v. CommScope Holding Company, Inc.

Instructions: When computing a word, line, or page count, you may exclude any items listed as exempted under Fed. R. App. P. 5(c), Fed. R. App. P. 21(d), Fed. R. App. P. 27(d)(2), Fed. R. App. P. 32(f), or Fed. Cir. R. 32(b)(2).

The foregoing filing complies with the relevant type-volume limitation of the Federal Rules of Appellate Procedure and Federal Circuit Rules because it meets one of the following:

- ☒ the filing has been prepared using a proportionally-spaced typeface and includes 223 words.
- ☐ the filing has been prepared using a monospaced typeface and includes _____ lines of text.
- ☐ the filing contains _____ pages / _____ words / _____ lines of text, which does not exceed the maximum authorized by this court's order (ECF No. _____).

Date: 05/03/2024

Signature: /s/ Peter J. McAndrews

Name: Peter J. McAndrews